

Dear Subscriber:

This Iowa DNR Water Quality Listserv is a subscription service that you have requested. Its purpose is to deliver timely water quality technical information directly to your email.

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#### PROPOSED RULE - IOWA ADMINISTRATIVE CODE, 567 IAC 64 - SEWER EXTENSION CONSTRUCTION PERMIT PROVISIONS

The Department is considering a rule that revises what is also known as sewer moratorium provisions. This is actually criteria for issuing or denying sanitary sewer construction permits. The amendment will modify section 64.2(10) to include new approval and denial language, modernize, and simplify the rule. The Department would like to give you advance opportunity for input and feedback.

The Notice of Intended Action proposes changes to Chapter 64 "Wastewater Construction and Operation Permits," Iowa Administrative Code, has been placed on the agenda for the Environmental Protection Commission (EPC) as an informational item and possibly subsequent action. The EPC meeting will be held at 9:00 am on November 14, 2006 at John F. Kennedy Park, 1415 Nelson Ave, Fort Dodge, Iowa . The Notice of Intended Action and the proposed rule can be found on the EPC's website at <http://www.iowadnr.com/epc/06nov/20.pdf>.

Subject to EPC authorization to proceed with rulemaking, a public hearing is anticipated in January, 2007. At a hearing, interested persons may present their views orally or in writing.

Any interested person may make written suggestions or comments pertaining to the proposed rule revisions on or before a hearing date. Questions or comments can be made to Wayne Farrand, Wastewater Construction Section supervisor, Iowa Department of Natural Resources, Wallace State Office Building, 502 E. 9th Street, Des Moines, Iowa, 50319; fax: (515) 281-8895; phone (515) 281-8877; Internet E-mail address: [wayne.farrand@dnr.state.ia.us](mailto:wayne.farrand@dnr.state.ia.us) .

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## PROPOSED RULE - IOWA ADMINISTRATIVE CODE, 567 IAC 67 - STANDARDS FOR THE LAND APPLICATION OF SEWAGE SLUDGE

The Department is considering a rule that revises the criterion for land application of sewage sludge. The primary purpose of this rule change is to make state rules changes consistent with federal regulations that were amended as a result of EPA's reconsideration of certain issues remanded by the U.S. Court of Appeals for additional justification or modification. The amendment is deleting the current land application pollutant limits for chromium and changing the land application pollutant concentration limit for selenium and molybdenum. This rule amendment also addresses a change to an adoption reference date and an updated address. The Department would like to give you advance opportunity for input and feedback.

The Notice of Intended Action proposes changes to Chapter 67 "Standards for Land Application of Sewage Sludge," Iowa Administrative Code, has been placed on the agenda for the Environmental Protection Commission (EPC) as an informational item and possibly subsequent action. The EPC meeting will be held at 9:00 am on November 14, 2006 at John F. Kennedy Park, 1415 Nelson Ave, Fort Dodge, Iowa . The Notice of Intended Action and the proposed rule can be found on the EPC's website at <http://www.iowadnr.com/epc/06nov/21.pdf> .

Subject to EPC authorization to proceed with rulemaking, a public hearing is anticipated in January, 2007. At a hearing, interested persons may present their views orally or in writing.

Any interested person may make written suggestions or comments pertaining to the proposed rule revisions on or before a hearing date. Questions or comments can be made to Corey McCoid, Water Quality Bureau, Iowa Department of Natural Resources, Wallace State Office Building, 502 E. 9th Street, Des Moines, Iowa, 50319; fax: (515) 281-8895; phone (515)281-0675; Internet E-mail address: [corey.mccoid@dnr.state.ia.us](mailto:corey.mccoid@dnr.state.ia.us) .

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## DNR PLANS TO UPDATE SECTION 401 WATER QUALITY RULES

The Department is proposing to amend Chapter 61 to certify the Nationwide Permits (NWP) issued by the U.S. Army Corps of Engineers (Corps). The Corps re-issues these permits every 5 years. The DNR will also certify two new Regional Permits to be used by the Corps.

The NWPs, general conditions, and definitions have been revised so that they are clearer, more concise, and can be more easily understood by the regulated public, government personnel, and interested parties, while retaining terms and conditions that protect the aquatic environment.

The following are the six new nationwide permits:

- A. Emergency Repair Activities
- B. Discharges into Ditches and Canals
- C. Pipeline Safety Program Designated Time Sensitive Inspections and Repairs
- D. Commercial Shellfish Aquaculture Activities
- E. Coal Remining Activities
- F. Underground Coal Mining Activities

The Rock Island District is also proposing two new Regional Permits 33 and 34 (RP 33 and RP 34). Regional Permit 33, Small NRCS Structures in the State of Iowa, authorizes the placement of fill materials in waters of the U.S. in Iowa for the construction of small ponds, dams and grade stabilization structures whether planned by and/or funded by the NRCS, or in cooperation with other local, state, or federal agencies where NRCS is the lead Federal agency. Regional Permit 34, Conservation Reserve Enhancement Program Structures in the State of Iowa, authorized the placement of fill materials in waters of the U.S. to create wetlands and ponded water through the construction of earthen embankments and/or dams when funding or technical assistance is being provided through CREP and when FSA is the lead agency.

Comments regarding the certification of the Nationwide Permits and Regional Permits must be sent to Chris Schwake by December 26, 2006. A public hearing will be held at the Wallace State Office Building, 502 E. 9<sup>th</sup> Street, Des Moines, IA on December 26, 2006 at 1 PM in the 5<sup>th</sup> Floor West Conference Room. To view the Public Notice the Corps issued for the re-issuance of the Nationwide Permits, please go to:  
[www2.mvr.usace.army.mil/Regulatory/Documents/Nationwide%20Permit%20Reissuance1.pdf](http://www2.mvr.usace.army.mil/Regulatory/Documents/Nationwide%20Permit%20Reissuance1.pdf)

or contact Chris Schwake at 515-281-6615, 502 E. 9<sup>th</sup> Street, Des Moines, IA 50319-0034, or at [Christine.Schwake@dnr.state.ia.us](mailto:Christine.Schwake@dnr.state.ia.us).

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## UPDATE FOR ONLINE NPDES PERMIT SEARCH AND PERMIT RENEWAL APPLICATION

The Department of Natural Resources started an initiative to put all the NPDES permits on the web to allow public easier access to the permits and to allow permittees to apply for permit renewals online. The project was delayed due to contractual difficulties. The department is now working with the Information Technology Enterprise (a division of the Iowa Department of Administrative Services) to refine the scope of work and to get the web pages as well as related databases developed. The new estimated completion date is May of 2007.

Contact information: Angela Chen (515) 281-4736 or [angela.chen@dnr.state.ia.us](mailto:angela.chen@dnr.state.ia.us)

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## NPDES PERMIT RENEWAL DEADLINES

DNR is reminding NPDES permit holders to apply for permit renewals at least 180-days before their permit expires. IAC 64.8(1)(a) requires permit holders "who wishes to discharge after the expiration date of the permit shall file an application for reissuance of the permit at least 180 days prior to the expiration data of the permit." The department has been sending renewal reminders/notifications to permit holders about 8 to 10 months before their permits expire. Timely submission of NPDES permit renewal is the responsibility of the permit holders. If complete applications are not received by the due date, as specified in IAC, a Notice of Violation (NOI) will be sent to the permit holders. If permit holders fail to submit complete application materials within 1 month of the NOI, permitted facilities would be referred for enforcement actions.

Contact Information: Steve Williams (515) 281-8884 or [steve.williams@dnr.state.ia.us](mailto:steve.williams@dnr.state.ia.us)